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*Attorneys for Plaintiff Heather Howard*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LYNNETTE FRARY, et al.,	)	CASE NO. C12 3928 MEJ
	)	
Plaintiffs,	)	<b>STIPULATION AND PROPOSED ORDER</b>
	)	<b>TO EXTEND TIME TO ANSWER OR</b>
vs.	)	<b>OTHERWISE RESPOND TO COMPLAINT</b>
	)	<b>AND TO AMEND BRIEFING SCHEDULE</b>
COUNTY OF MARIN, et al.,	)	<b>AND CASE DEADLINES</b>
	)	
Defendants.	)	Judge: Hon. Maria-Elena James
	)	

WHEREAS, this action was recently filed on July 26, 2012, and service of process was accomplished expeditiously through waivers of service executed by all named defendants; and

WHEREAS, at the time of filing the Court entered an ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES establishing a number of discovery and other deadlines and set a Case Management Conference for November 1, 2012, and

1 WHEREAS, the defendants CITY OF NOVATO, JOSEPH KREINS, OFFICER  
2 THOMAS MACKENZIE, OFFICER MICHAEL DUNN, and OFFICER STEPHANIE  
3 COMMISTO have filed a motion to dismiss the claims against them pursuant to Federal Rule of  
4 Civil Procedure Rule 12(b)(6), and

5 WHEREAS, the defendants COUNTY OF MARIN, SHERIFF ROBERT T. DOYLE,  
6 and DEPUTY RACHEL HAMMER have indicated their intention to also file a motion for  
7 dismissal, but have requested an extension to and through October 9, 2012 to do so, and  
8

9 WHEREAS, the plaintiffs are agreeable to the extension requested by the County of  
10 Marin defendants, and all defendants are in turn agreeable to providing the plaintiffs with  
11 additional time to respond to the two motions,

12 Therefore, pursuant to Local Civil Rules Nos. 6-1 and 6-2, the parties hereby agree that  
13 the deadlines and case schedule may be amended as follows:  
14

15 (1) Under Local Civil Rule 6-1 (a), it is hereby stipulated and agreed between  
16 plaintiffs' counsel and counsel for defendants COUNTY OF MARIN, SHERIFF ROBERT T.  
17 DOYLE, and DEPUTY RACHEL HAMMER that said defendants will have to and through  
18 October 9, 2012 to file an Answer or other response to the plaintiffs' complaint; and

19 (2) All parties agree that the plaintiffs shall have to and through November 9, 2012 to  
20 file an opposition to any and all Motions to Dismiss filed by the defendants; and  
21

22 (3) Any reply papers in response to plaintiffs' oppositions shall be filed no later than  
23 December 7, 2012;

24 (4) Both motions shall be heard on Thursday, January 10 at 10:00 a.m.; and

25 (5) In light of the fact that the dispositive motions filed or to be filed by the  
26 defendants will not be resolved prior to November 1, 2012, the date currently set for the initial  
27

1 case management conference and all other deadlines and dates set by the Court's ORDER  
2 SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES should  
3 be and are vacated and will be reset if necessary, after the dispositive motions are decided by the  
4 Court.


5 Dated: October 1, 2012

BRENT, FIOL & NOLAN LLP

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8 By:   
9 David L. Fiol  
Attorneys for Plaintiffs Frary and Ball

10 Dated: October 1, 2012

BONNER & BONNER

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13 By:   
14 A. Cabral Bonner  
Attorneys for Plaintiff Howard

15 Dated: September \_\_\_, 2012

BERTRAND, FOX & ELLIOT

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18 By: \_\_\_\_\_  
19 Thomas F. Bertrand  
20 Attorneys for Defendants City Of Novato,  
Kreins, Mackenzie, Dunn and Commisto

21 Dated: September \_\_\_, 2012

MARIN COUNTY COUNSEL

22  
23 By: \_\_\_\_\_  
24 Steven M. Perl, Deputy  
25 Attorneys for defendants County of Marin,  
26 Doyle and Hammer  
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5 Dated: September \_\_\_\_, 2012

BRENT, FIOL & NOLAN LLP

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8 By: \_\_\_\_\_  
David L. Fiol  
9 *Attorneys for Plaintiffs Frary and Ball*

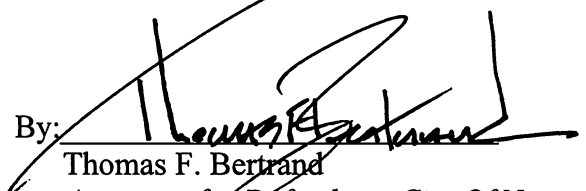
10  
11 Dated: September \_\_\_\_, 2012

BONNER & BONNER

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13 By: \_\_\_\_\_  
A. Cabral Bonner  
14 *Attorneys for Plaintiff Howard*

15 Dated: September 24, 2012

BERTRAND, FOX & ELLIOT

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18 By:  \_\_\_\_\_  
Thomas F. Bertrand  
19 *Attorneys for Defendants City Of Novato,*  
20 *Kreins, Mackenzie, Dunn and Commisto*

21 Dated: September \_\_\_\_, 2012

MARIN COUNTY COUNSEL

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23 By: \_\_\_\_\_  
Steven M. Perl, Deputy  
24 *Attorneys for defendants County of Marin,*  
25 *Doyle and Hammer*

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5 Dated: September \_\_\_\_, 2012

BRENT, FIOLE & NOLAN LLP

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8 By: \_\_\_\_\_  
David L. Fiol  
9 *Attorneys for Plaintiffs Frary and Ball*

10 Dated: September \_\_\_\_, 2012

BONNER & BONNER

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13 By: \_\_\_\_\_  
A. Cabral Bonner  
14 *Attorneys for Plaintiff Howard*

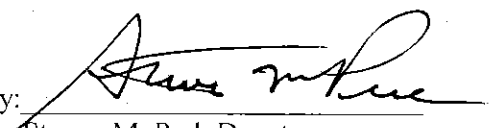
15 Dated: September \_\_\_\_, 2012

BERTRAND, FOX & ELLIOT

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18 By: \_\_\_\_\_  
Thomas F. Bertrand  
19 *Attorneys for Defendants City Of Novato,*  
20 *Kreins, Mackenzie, Dunn and Commisto*

21 Dated: September 28, 2012

MARIN COUNTY COUNSEL

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23 By:   
24 Steven M. Perl, Deputy  
25 *Attorneys for defendants County of Marin,*  
26 *Doyle and Hammer*

**PURSUANT TO STIPULATION, IT IS SO ORDERED**

Dated: October 2, 2012



Hon. Maria-Elena James  
Chief United States Magistrate Judge